

#12

UNITED STATES PATENT AND TRADEMARK OFFICE

Reviewer: Linda Sholl

Art Unit: 3748

In re:

Applicant(s): Levitin, et al.

Serial No.: 09/808,962

VERIFICATION

Honorable Commissioner  
Of Patents and Trademarks  
Washington, D.C. 20231  
Fax: 703-746-4915  
Phone: 703-308-1288

Dear Ms. Sholl:

I, Mikhail Levitin, hereby assert that the attached papers are the same copies of the correspondence that have been sent to PTO by facsimile to number 703-746-4559 on June 17, 2002 at 11:02 PM and on June 25, 2002 at 10:43 AM with regards to case #: 09/808,962.

These correspondences were done according to #37CFR 1.8.

"d) *Facsimile transmission*. Except in the cases enumerated below, correspondence, including authorizations to charge a deposit account, may be transmitted by facsimile. The receipt date accorded to the correspondence will be the date on which the complete transmission is received in the Patent and Trademark Office, unless that date is a Saturday, Sunday, or Federal holiday within the District of Columbia. See § 1.6(a)(3). To facilitate proper processing, each transmission session should be limited to correspondence to be filed in a single application or other proceeding before the Patent and Trademark Office. The application number of a patent or trademark application, the control number of a reexamination proceeding, the interference number of an interference proceeding, the patent number of a patent, or the registration number of a trademark should be entered as a part of the sender's identification on a facsimile cover sheet."

"The date of receipt accorded to any correspondence permitted to be sent by facsimile transmission, including a continued prosecution application (CPA) filed under 37 CFR 1.53(d), is the date the complete transmission is received by an Office facsimile unit, unless the transmission is completed on a Saturday, Sunday, or Federal holiday within the

Mikhail Levitin

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District of Columbia. Correspondence for which transmission was completed on a Saturday, Sunday, or Federal holiday within the District of Columbia, will be accorded a receipt date of the next succeeding day which is not a Saturday, Sunday, or Federal holiday within the District of Columbia. For example, a facsimile transmission to the Office from California starting on a Friday at 8:45 p.m. Pacific time and taking 20 minutes, would be completed at 9:05 p.m. Pacific time. The complete transmission would be received in the Office around 12:05 a.m. Eastern Time on Saturday. The receipt date accorded to the correspondence is the date of the following business day, which in this case, would be Monday (assuming that Monday was not a Federal holiday within the District of Columbia). Note however, that if the Certificate of Transmission is available (for documents not proscribed by 37 CFR 1.8(e)(2)), then the above facsimile may be considered timely filed on Friday if it contains a Certificate of Transmission and is in compliance with 37 CFR 1.8(a)(1)(i)(B) and (ii).

37 CFR 1.6(a) specifies the types of correspondence which may be transmitted by facsimile. These would include CPAs filed under 37 CFR 1.53(d), amendments, declarations, petitions, issue fee transmittals and authorizations to charge deposit accounts. The situations where transmissions by facsimile are prohibited are identified in 37 CFR 1.6(a)(1)-(9). Prohibitions cover situations where originals are required as specified in 37 CFR 1.4(e) and (f), and situations where accepting a facsimile transmission would be unduly burdensome on the Office. As a courtesy, the Office will attempt to notify senders whenever correspondence is sent to the Office by facsimile transmission that falls within one of these prohibitions."

**CORRESPONDENCE RELATIVE TO PATENTS AND PATENT APPLICATIONS WHERE FILING BY FACSIMILE TRANSMISSION IS NOT PERMITTED**

- (A) A document that is required by statute to be certified;
- (B) A national patent application specification and drawing (provisional or nonprovisional) or other correspondence for the purpose of obtaining an application filing date, other than a continued prosecution application filed under 37 CFR 1.53(d);
- (C) Drawings submitted under 37 CFR 1.81, 1.83-1.85, 1.152, 1.165, 1.174, or 1.437;
- (D) Correspondence in an interference which an Administrative Patent Judge orders to be filed by hand or "Express Mail";
- (E) Agreements between parties to an interference under 35 U.S.C. 135(c);
- (F) Correspondence to be filed in an interference proceeding which consists of a preliminary statement under 37 CFR 1.521; a transcript of a deposition under 37 CFR 1.676; or of interrogatories, or cross-interrogatories, or an evidentiary record and exhibits under 37 CFR 1.653;
- (G) Correspondence to be filed in a patent application subject to a secrecy order under 37 CFR 5.1-5.5 and directly related to the secrecy order content of the application;

(H) An international application for patent;

(I) A copy of the international application and the basic national fee necessary to enter the national stage, as specified in 37 CFR 1.494(b) or 37 CFR 1.495(b);

(J) A request for reexamination under 37 CFR 1.510 or 37 CFR 1.913.

Under 37 CFR 1.8(d)(4), drawings submitted under 37 CFR 1.81, 37 CFR 1.81, 1.83- 1.85, 1.152, 1.155, 1.174, or 1.437 may not be filed by facsimile transmission in patent applications. However, applicants may submit by facsimile transmission proposed drawing corrections for approval by the Office.

As it is seen from above-cited references the Amendment is permitted for FILING BY FACSIMILE.

I also left following up message on June 17, 2002 (to the phone # 703-308-3477) asking the examiner to return my call if he would have any question. On June 25, 2002, at 10:43 AM I spoke to the examiner on phone # 703-308-3477 after I sent the Amendment by facsimile. Copies of the telephone bills are annexed hereto, incorporated by reference and respectfully marked, Exhibit "A."

Furthermore, on May 28, 2002 at 11:52 AM I spoke to examiner Hoang M. Nguyen and then mailed my Amendment. After I submitted the Amendment by facsimile I received the returned receipt from Patent Office. A copy of the receipt is annexed hereto, incorporated by reference and respectfully marked, Exhibit "B."

On September 19, 2002 I received Notice of Publication of Application from Patent Office. A copy of the Notice is annexed hereto, incorporated by reference and respectfully marked, Exhibit "C."

Respectfully submitted,

  
Mikhail Levitin 8.05.2003  
Date

Address & Telephone:

Mikhail Levitin  
P.O. Box 102  
Reeders, PA 18352  
Tel.: 570-620-1024

FROM : MLI

FAX NO. :

Aug. 07 2003 01:22PM P4

**Exhibit A**

Mikhail Levitin

8/5/03

Received from < > at 8/7/03 1:05:29 PM [Eastern Daylight Time]



## 1 + CALL DETAIL

Customer Name: MIKHAIL LEVITIR  
Customer Number: 790034-8482-0000

Page: 4  
Billing Date: 07/16/02  
Payment Due Date: 08/08/02

Date	Time	Min	R	Location	Telephone	Cost	Date	Time	Min	R	Location	Telephone	Cost
Calls Originating From 570-620-1024							06/22	9:46A	2.5	ID	ST. PETERSB	7-8121430083	0.25
06/13	5:44P	11.5	E	BROOKLYN	NY 718-332-3529	0.91	10:02A	2.5	ID	ST. PETERSB	7-8121430083	0.25	
	8:34P	26.0	E	IRONTON	PA 610-769-7411	3.10	1:11P	3.0	IS	ST. PETERSB	7-8121430083	0.10	
	9:17P	6.5	N	NEW YORK	NY 917-848-0883	0.52	9:54A	29.5	ID	MOSCOW	7-0952898448	2.34	
	9:32P	2.0	N	WILKSBARRE	PA 570-793-3383	0.22	11:29A	16.5	D	BROOKLYN	NY 718-934-8394	1.31	
	9:30A	12.5	D	BROOKLYN	NY 718-435-8694	0.99	11:57A	7.0	E	TORONTO	ON 416-569-5173	0.63	
06/14	10:21A	4.5	D	BROOKLYN	NY 718-435-8694	0.36	12:04P	18.5	D	BROOKLYN	NY 718-435-8694	1.47	
	12:48P	5.5	D	BROOKLYN	NY 718-332-3529	0.44	12:54P	5.5	D	BROOKLYN	NY 718-934-8394	0.44	
	6:36P	11.5	E	BROOKLYN	NY 718-934-8394	0.91	1:06P	1.5	D	BROOKLYN	NY 718-435-8694	0.12	
	6:48P	7.0	E	WILKSBARRE	PA 570-793-3383	0.77	1:10P	6.5	D	BROOKLYN	NY 718-435-8694	0.52	
	7:47P	13.5	E	BROOKLYN	NY 718-934-8394	1.07	1:21P	9.5	D	BROOKLYN	NY 718-435-8694	0.76	
06/15	9:02P	22.5	N	NEW YORK	NY 347-432-0514	1.78	1:31P	1.5	D	RESEDA	CA 818-343-8527	0.12	
	4:35P	25.5	E	BROOKLYN	NY 718-331-0245	2.02	4:34P	1.5	E	BROOKLYN	NY 718-332-3529	0.12	
	5:41P	8.0	E	WILKSBARRE	PA 570-793-3383	0.88	8:01P	1.5	E	BROOKLYN	NY 718-332-3529	0.12	
	6:16P	5.0	E	POCONOLAKE	PA 570-646-5270	0.55	8:29P	13.5	E	BROOKLYN	NY 718-996-5478	1.07	
	6:38P	13.0	E	WILKSBARRE	PA 570-793-3383	1.42	8:43P	17.5	E	BROOKLYN	NY 718-375-6467	1.36	
06/16	6:51P	1.0	E	WILKSBARRE	PA 570-793-3383	0.11	06/24	9:16P	22.5	N	BROOKLYN	NY 718-435-8694	1.78
	6:51P	1.0	E	WILKSBARRE	PA 570-793-3383	0.11	06/25	9:17A	1.5	D	BROOKLYN	NY 718-250-9861	0.12
	11:20A	3.0	D	POCONOLAKE	PA 570-643-3066	0.33	9:18A	5.5	D	BROOKLYN	NY 718-934-8394	0.44	
	11:44A	7.5	D	BROOKLYN	NY 718-435-8694	0.60	10:43A	1.5	D	ALEXANDRIA	VA 703-746-4559	0.17	
	12:49P	1.5	D	BROOKLYN	NY 718-435-8694	0.12	10:43A	2.5	D	ALEXANDRIA	VA 703-308-3477	0.20	
06/17	1:11P	1.5	D	ALEXANDRIA	VA 703-308-2611	0.12	11:47A	3.5	D	HICKSVILLE	NY 516-349-8888	0.28	
	1:40P	2.5	D	NORTHBROOK	IL 847-903-4991	0.20	11:59A	1.5	D	ALEXANDRIA	VA 703-308-2657	0.12	
	8:14P	2.0	E	WILKSBARRE	PA 570-793-3383	0.22	6:50P	13.5	E	BROOKLYN	NY 718-996-5478	1.07	
	8:38P	1.0	E	POTTSVILLE	PA 570-449-2501	0.11	8:33P	9.5	E	BROOKLYN	NY 718-435-8694	0.76	
	8:39P	24.0	E	POCONOLAKE	PA 570-646-1179	2.62	8:56P	1.0	E	WILKSBARRE	PA 570-793-3383	0.11	
06/18	9:54A	3.5	D	HICKSVILLE	NY 516-349-8888	0.28	9:09P	9.0	N	WILKSBARRE	PA 570-793-3383	0.99	
	10:15A	2.5	D	BROOKLYN	NY 718-646-0187	0.20	06/26	9:24A	5.5	D	BROOKLYN	NY 718-250-9861	0.44
	4:05P	6.0	E	WASHINGTON	PA 724-222-7060	0.72	9:35A	10.5	D	BROOKLYN	NY 718-934-8394	0.83	
	4:21P	3.0	E	WASHINGTON	PA 724-222-7060	0.36	9:45A	5.0	D	SWARTHMORE	PA 610-328-3001	0.60	
	7:50P	1.5	E	NEW YORK	NY 646-483-3224	0.12	10:31A	1.0	D	WILKSBARRE	PA 570-793-3383	0.11	
06/19	9:12P	4.0	N	WILKSBARRE	PA 570-793-3383	0.44	4:54P	6.5	E	BROOKLYN	NY 718-435-8694	0.52	
	9:17P	2.0	N	WILKSBARRE	PA 570-793-3383	0.22	5:05P	2.5	E	BROOKLYN	NY 718-435-8694	0.20	
	9:19P	1.5	N	BROOKLYN	NY 718-934-8394	0.12	6:13P	1.5	E	NEW YORK	NY 646-483-3224	0.12	
	9:21P	15.5	N	BROOKLYN	NY 718-934-8394	1.23	6:18P	2.0	E	SWARTHMORE	PA 610-328-3001	0.24	
	10:48P	1.5	N	NEW YORK	NY 646-483-3224	0.12	06/27	10:02A	1.5	D	BROOKLYN	NY 718-934-8394	0.12
06/20	11:02P	1.5	N	ALEXANDRIA	VA 703-746-4559	0.12	10:02A	13.5	D	BROOKLYN	NY 718-331-0245	1.07	
	11:02P	1.5	N	ALEXANDRIA	VA 703-308-3477	0.12	11:16A	4.0	D	SWARTHMORE	PA 610-328-3001	0.48	
	8:30A	5.5	N	BROOKLYN	NY 718-934-8394	0.44	11:29A	1.5	D	ALEXANDRIA	VA 703-308-3477	0.12	
	8:59A	3.0	N	FREELAND	PA 570-636-1500	0.33	11:56A	1.5	D	RESEDA	CA 818-343-8527	0.12	
	10:44A	1.5	D	ALEXANDRIA	VA 703-308-3477	0.12	3:50P	12.5	D	BROOKLYN	NY 718-332-3529	0.99	
06/21	5:59P	12.5	E	HICKSVILLE	NY 516-349-8888	0.99	4:04P	13.0	E	ALLENSTOWN	PA 610-530-7500	1.55	
	6:18P	6.5	E	BROOKLYN	NY 718-934-8394	0.52	5:04P	1.5	E	QUEENS	NY 917-854-1199	0.12	
	9:32P	28.5	N	BROOKLYN	NY 718-435-8694	2.26	5:05P	1.5	E	ATLANTA NW	GA 770-657-1020	0.12	
	4:10P	4.5	E	ALEXANDRIA	VA 703-308-2611	0.36	10:10P	6.5	N	BROOKLYN	NY 718-375-6467	0.52	
	4:21P	1.5	E	ALEXANDRIA	VA 703-308-2657	0.12	10:32P	23.5	N	BROOKLYN	NY 718-934-8394	1.86	
06/22	4:24P	6.0	E	WILKSBARRE	PA 570-822-3349	0.66	11:13P	19.5	N	BROOKLYN	NY 718-996-5478	1.55	
	4:30P	16.0	E	WILKSBARRE	PA 570-793-3383	1.75	06/28	8:12A	4.5	N	BROOKLYN	NY 718-891-5005	0.36
	5:05P	1.5	E	BROOKLYN	NY 718-646-0187	0.12	8:50A	1.5	N	BROOKLYN	NY 718-331-0245	0.12	
	5:16P	10.5	E	BROOKLYN	NY 718-934-8394	0.83	9:47A	18.5	D	BROOKLYN	NY 718-934-8394	1.47	
	5:44P	5.5	E	DEER PARK	NY 631-243-3818	0.44	11:37A	3.0	D	ALLENSTOWN	PA 610-530-7500	0.36	
06/23	5:50P	1.5	E	DEER PARK	NY 631-243-3818	0.12	11:56A	11.5	D	BROOKLYN	NY 718-332-3529	0.91	
	5:59P	17.5	E	BROOKLYN	NY 718-435-8694	1.39	12:34P	9.0	D	PITTSBURGH	PA 570-655-0177	0.99	
	9:37P	10.0	N	IRONTON	PA 610-769-7411	1.19	12:49P	8.0	D	WILKSBARRE	PA 570-793-3383	0.88	
	9:59P	2.0	N	IRONTON	PA 610-769-7411	0.24	2:40P	1.5	D	BROOKLYN	NY 718-332-3529	0.12	
	8:09A	1.5	N	ALEXANDRIA	VA 703-308-2657	0.12	10:00P	18.5	N	BROOKLYN	NY 718-934-8394	1.47	
06/24	8:24A	1.5	N	DEER PARK	NY 631-243-3818	0.12	10:21P	13.5	N	BROOKLYN	NY 718-934-8394	1.07	
	8:39A	9.5	N	LIVINGSTON	NJ 973-994-2877	0.76	8:51A	1.5	N	BROOKLYN	NY 718-541-8456	0.12	
	8:52A	7.5	N	BROOKLYN	NY 718-646-0187	0.60	8:54A	3.5	N	BROOKLYN	NY 718-891-5005	0.28	
	10:00A	1.5	D	QUEENS	NY 917-515-0731	0.12	9:00A	1.5	D	BROOKLYN	NY 718-934-8394	0.12	
	10:01A	1.5	D	LINDENHST	NY 631-956-7066	0.12	10:21A	11.0	D	WILKSBARRE	PA 570-793-3383	1.20	
06/25	10:03A	2.5	D	HICKSVILLE	NY 516-349-8888	0.20	1:17P	1.5	D	QUEENS	NY 917-854-1199	0.12	
	10:05A	2.5	D	HICKSVILLE	NY 516-349-8888	0.20	3:53P	4.5	D	NEW YORK	NY 917-335-2914	0.46	
	10:10A	14.5	D	BROOKLYN	NY 718-331-0245	1.15	3:49P	14.5	D	BROOKLYN	NY 718-891-5005	1.15	
	10:36A	1.5	D	BROOKLYN	NY 718-332-3529	0.12	4:52P	13.0	E	WILKSBARRE	PA 570-793-3383	1.42	
	10:50A	1.5	D	ALEXANDRIA	VA 703-308-2657	0.12	5:08P	4.5	E	BROOKLYN	NY 718-435-8694	0.36	
06/26	2:55P	1.5	D	ALEXANDRIA	VA 703-308-2657	0.12	5:14P	7.5	E	BROOKLYN	NY 718-435-8694	0.60	
	9:09P	2.0	N	WILKSBARRE	PA 570-793-3383	0.22	7:44P	2.0	E	POCONOLAKE	PA 570-646-8027	0.22	
	10:04P	1.5	N	BROOKLYN	NY 718-332-3529	0.12	06/30	10:16A	5.5	D	BROOKLYN	NY 718-996-5478	0.44
	10:05P	7.0	N	WILKSBARRE	PA 570-793-3383	0.77	9:10P	3.5	N	BROOKLYN	NY 718-996-5478	0.28	
	12:44P	1.5	D	BROOKLYN	NY 718-332-3529	0.12	9:20P	6.5	N	BROOKLYN	NY 718-376-3060	0.52	
06/27	1:31P	1.0	IS	ST. PETERSB	7-8121430083	0.10	9:43P	1.0	N	POCONOLAKE	PA 570-646-8027	0.11	
	1:37P	1.5	D	ALEXANDRIA	VA 703-308-2657	0.12	12:36P	3.5	D	BROOKLYN	NY 718-875-1552	0.28	
	3:02P	1.5	D	ALEXANDRIA	VA 703-308-2657	0.12	12:43P	1.0	D	ALLENSTOWN	PA 610-770-1660	0.12	
	3:03P	1.5	D	BROOKLYN	NY 718-332-3529	0.12	2:55P	2.0	D	WILKSBARRE	PA 570-825-2200	0.22	
	3:36P	13.5	D	BROOKLYN	NY 718-934-8394	1.07	3:02P	2.0	D	WILKSBARRE	PA 570-825-2200	0.22	
06/28	8:37P	12.5	E	BROOKLYN	NY 718-332-3529	0.99	3:42P	11.0	D	WILKSBARRE	PA 570-793-3383	1.20	
	10:05P	5.0	N	WILKSBARRE	PA 570-793-3383	0.55	3:58P	16.0	D	WILKSBARRE	PA 570-793-3383	1.75	
	10:13P	1.5	N	BROOKLYN	NY 718-934-8394	0.12	4:15P	6.5	E	ALEXANDRIA	VA 703-308-2657	0.52	
	10:39P	5.5	N	BROOKLYN	NY 718-934-8394	0.44	4:29P	1.5	E	HICKSVILLE	NY 516-349-8888	0.12	
							4:29P	2.5	E	HICKSVILLE	NY 516-349-8888	0.20	



FROM : MLI

FAX NO. :

Aug. 07 2003 01:24PM P6

**Exhibit B**

Mikhail Levitin

8/5/03

Received from < > at 8/7/03 1:05:29 PM [Eastern Daylight Time]

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"><li>■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.</li><li>■ Print your name and address on the reverse so that we can return the card to you.</li><li>■ Attach this card to the back of the mailpiece, or on the front if space permits.</li></ul>		A. Received by (Please Print Clearly)	
1. Article Addressed to:		B. Date of Delivery	
Department of Commerce Commissioner For Patents and Trademarks Washington, DC 20231		C. Signature	
		<input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
		D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below <input type="checkbox"/> No	
2. Article Number (Copy from service label)		3. Service Type	
<i>Re: Method of Running...</i>		<input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail	
		<input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
4. Restricted Delivery? (Extra Fee)		<input type="checkbox"/> Yes	

RECEIVED  
JUN 24 2002  
USPTO MAIL CENTER

PS Form 3811, July 1999 Domestic Return Receipt 102595-99-M-1789

FROM : MLI

FAX NO. :

Aug. 07 2003 01:24PM PB

**Exhibit C**

Mikhail Levitin

8/5/03

Received from < > at 8/7/03 1:05:29 PM [Eastern Daylight Time]





## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/808,962	03/16/2001	Mikhail Levitin	

MIKHAIL LEVITIN  
P.O. Box 102  
REEDERS, PA 18352-0102

## CONFIRMATION NO.



\*OC00000008813015\*

**Title:** Method of running a condenser for liquidation of steam or vapor

**Publication No.** US-2002-0129605-A1  
**Publication Date:** 09/19/2002

Date Mailed: 09/19/2002

## NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at [www.uspto.gov](http://www.uspto.gov). The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at [www.uspto.gov](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at (703) 305-3028.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202